

Maria, the names and ages of her children, and when they were severally born.

4th. That the defendant had not answered, though specially interrogated, in whose possession each of said negroes and their increase, have been, since the death of said Jackson, and by whom, and in what right, the same are and have been held.

5th. That the defendant had not answered the special interrogatories, as to the value of said negroes, at the present time, and the annual value of the services of each, since the death of said Jackson, and whether any of them have died, &c.

6th. For that the said Burch has not answered what other money and personal property, of which said Jackson died possessed, have come into his possession and knowledge.

7th. For that said answer is in other particulars insufficient.

Upon the hearing of these exceptions, the Chancellor delivered the following opinion, at the July term, 1849 :]

THE CHANCELLOR :

It is a well established rule of chancery pleading, that if a defendant answers, he must answer fully to all the charges of the bill ; and it is not sufficient, that the answer contains a general denial of the matters charged, but there must be an answer to the sifting inquiries, upon the general subject, and whenever there are particular and precise charges, they must be answered particularly and precisely, though the general answer may amount to a full denial of the charges.

These principles are stated almost in the identical language of Mr. Justice Story, in his treatise on Equity Pleading, sec. 852.

The answer should in general, also, be full to all the interrogatories, founded on the matters charged in the bill, unless indeed they are clearly immaterial. *Ibid*, sec. 853. And the difficulty of distinguishing, clearly, between material and immaterial interrogatories, is so considerable, that respectable writers have said, that the general rule upon the subject, requires the defendant to answer every question, without reference to whether it is or is not material, and that the court would take care,